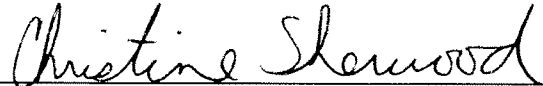

**REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

I hereby certify that this correspondence is being electronically filed with the United States Patent and Trademark Office on October 3, 2008 at or before 11:59 p.m. Pacific Time under the Rules of 37 CFR § 1.8.


Christine Sherwood

Application Number	: 10/799,143	Confirmation No. 7913
Filing Date	: March 11, 2004	
Inventor(s)	: Biedermann, Lutz	
Title	: ANCHORING ELEMENT FOR USE IN SPINE OR BONE SURGERY, METHODS FOR USE AND PRODUCTION THEREOF	
Group Art Unit	: 3733	
Examiner Name	: Mary C. Hoffman	
Customer No.	: 23363	
Docket No.	: 56717/B884	Date: October 3, 2008

MAIL TO: Mail Stop RCE

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

This application is **not** an application of the kind specified in 37 CFR § 1.114(e).

1. THE STATUS OF THE APPLICATION IS AS FOLLOWS:

- a. ☒ Pending (no review proceedings active)
- (1) ☒ An Action was mailed by the Office on April 3, 2008, as to which no appeal under 37 CFR § 1.191 has been filed and
- ☐ a response under 37 CFR § 1.116 was mailed on
- ☐ via Express Mail
- ☐ with certificate of mailing under 37 CFR § 1.8
- ☒ that Action was a Final Rejection, the finality of which is to be withdrawn by this Request
- ☐ an appeal or civil action under 35 U.S.C. 141,145 or 146 has been terminated
- (2) ☐ Allowed: the Notice of Allowance was mailed by the Office on
- ☐ the Issue Fee has not been paid
- ☐ the Issue Fee has been paid **and** a petition under 37 CFR § 1.313 was granted on
- b. ☐ Pending (with review proceeding active)

**REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Application No. 10/799,143

An appeal under 37 CFR § 1.191 has been filed. **Applicant(s) hereby withdraw that appeal and request reopening of the prosecution of the application.**

2. SUBMISSION(S) REQUIRED (check at least one)

a. Previously submitted

- ☐ Consider the amendments/reply under 37 CFR § 1.116 previously filed on
☐ Consider the arguments in the Appeal or Reply Brief previously filed on
☐ Other:

b. Enclosed

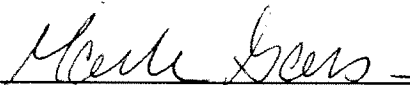
- ☒ Amendment/Reply
☐ Affidavit(s)/Declaration(s)
☐ Information Disclosure Statement
☐ Documents under 37 CFR § 1.48
☒ Petition for Extension of Time
☐ Other:

The Examiner is requested to telephone the undersigned promptly following receipt and initial review of the application in light of the Submissions(s) for the conduct of, or the scheduling of, a telephone interview in the application.

Please direct all correspondence to **CUSTOMER NUMBER 23363**. Direct telephone calls to 626/795-9900, **CHRISTIE, PARKER & HALE, LLP, P.O. Box 7068, Pasadena, CA 91109-7068**.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By 
Mark Garscia
Reg. No. 31,953
626/795-9900

MEG/cks

**REQUEST FOR CONTINUED EXAMINATION (RCE)
FEE CALCULATION SHEET**

Application No. 10/799,143

PART I — BASIC FEE			
BASIC FEE	Small Entity \$405.00	Large Entity \$810.00	\$810.00

PART II — ADDITIONAL CLAIMS (compared to application before RCE)						
	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra Claims	Small Entity Rate	Large Entity Rate	FEE
Total Claims	23	*23	0	x \$25.00	0 x \$50.00	-0-
Independent Claims	5	**6	0	x \$105.00	0 x \$210.00	-0-
First Presentation of Multiple Dependent Claim				\$185.00	\$370.00	-0-
TOTAL CLAIMS FEE						-0-
List Independent Claims: 1, 10, 21, 29, 30						
* IF THE "HIGHEST NUMBER OF TOTAL CLAIMS PREVIOUSLY PAID FOR" IS LESS THAN 20, WRITE "20" IN THIS SPACE.						
** IF THE HIGHEST NUMBER PREVIOUSLY PAID FOR IS 3 OR LESS, WRITE "3" IN THIS SPACE.						

1. FEES (*The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.*)
- Amount (total from Fee Calculation Sheet)
Please charge our Deposit Account No. 03-1728 for \$810.00.
 - X The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required for this transaction to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account.

CKS IRV1115207.1-* -10/3/08 6:04 PM